



# City of Norfolk

Office of the City Manager

C: Dir., Planning & Community Development

July 18, 2006

To the Honorable Council  
City of Norfolk, Virginia

Re: Change of Zoning – 1121 – 1129 East  
Little Creek Road From C-2 (Corridor  
Commercial) to conditional IN-1  
(Institutional).

Ladies and Gentlemen:

I. **Recommended Action:**

Adopt ordinance for a Change of Zoning.

II. **Overview**

This agenda item is to permit a rezoning on premises located at 1121 – 1129 East Little Creek Road. This site was previously used as an automobile repair facility, an automobile rental establishment and a thrift store.

III. **Analysis**

A. **General**

The applicant is proposing to operate a religious institution with 358 seats from this location. Day care and classes will be provided during religious services.

The site is located on the portion of E. Little Creek Road as leading to N. Military Highway to the east of Chesapeake Boulevard. E. Little Creek Road in this area is generally zoned C-2 (Corridor Commercial) and is developed with a mix of commercial uses including restaurants, a pharmacy, automobile related establishments, a dry cleaning establishment and beauty salons. To the south is the Oakmont Planned Development which is developed with a multiple-family apartment complex.

B. **Fiscal**

N/A

C. Environmental  
N/A

D. Community Outreach/Notification

In accordance with the Norfolk City Charter and Virginia state law, a legal notice was posted in the Virginian Pilot on July 4, 2006 and July 11, 2006. Additionally, the Oakmont Planned Development was sent a notice of the public hearing.

#### IV. Board/Commission Action


**By a 7 to 0 vote**, the Planning Commission unanimously recommends **approval** for the proposed rezoning subject to the conditions:

- 1) The interior of the building shall be constructed in accordance with the attached floor plan. The attached floor plan may, at the request of the Department of Planning, be required to be revised during the permitting process so as to comply with applicable regulations.
- 2) The site shall be used a religious institution with an occupancy of no more than 370 people.
- 3) The hours of operation shall be from 6:00 a.m. until 9:00 p.m. on Wednesday and Saturday, from 9:00 a.m. to 8:00 p.m. on Sundays, and closed on all other days.
- 4) Landscaping will be provided along East Little Creek Road and Jernigan Avenue in accordance with Chapter 17 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Landscaping and Buffers."
- 5) The existing freestanding sign located on the property shall be removed within 90 days of the date of adoption of this ordinance and replaced with a conforming sign.
- 6) Saturday services shall operate in the fellowship hall, where seats will be provided. There will be no dance floor on the premises.
- 7) Day care and classes shall only be provided in conjunction with a church service.

**V. Conclusion**

It is recommended that the City Council approve the ordinance as presented including conditions.

Respectfully submitted,

  
Regina V.K. Williams  
City Manager

6/14/06 trr

Form and Correctness Approved:

Contents Approved:

By

Office of the City Attorney

NORFOLK, VIRGINIA

By

DEPT.

**ORDINANCE No.**

AN ORDINANCE TO REZONE PROPERTY LOCATED AT 1121  
AND 1129 EAST LITTLE CREEK ROAD FROM C-2  
(CORRIDOR COMMERCIAL) TO CONDITIONAL IN-1  
(INSTITUTIONAL)

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the property located at 1121 and 1129 East Little Creek Road is hereby rezoned from C-2 (Corridor Commercial) to Conditional IN-1 (Institutional). The property which is the subject of this rezoning is more fully described as follows:

Property extending 200 feet, more or less, along the Southern line of East Little Creek Road beginning 362 feet, more or less, from the eastern line of Chesapeake Boulevard and extending eastwardly; property also fronts 149 feet, more or less, along the northern line of Jernigan Avenue; premises numbered as 1121 and 1129 East Little Creek Road.

Section 2:- That the property rezoned by this ordinance shall be subject to the following conditions:

- (a) The interior of the building shall be constructed in accordance with the attached floor plan. The attached floor plan may, at the request of the Department of Planning, be required to be revised during the permitting process so as to comply with applicable regulations.
- (b) The site shall be used a religious institution with an occupancy of no more than 370 people.
- (c) The hours of operation shall be from 6:00

a.m. until 9:00 p.m. on Wednesday and Saturday, from 9:00 a.m. to 8:00 p.m. on Sundays, and closed on all other days.

- (d) Landscaping will be provided along East Little Creek Road and Jernigan Avenue in accordance with Chapter 17 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Landscaping and Buffers."
- (e) The existing freestanding sign located on the property shall be removed within 90 days of the date of adoption of this ordinance and replaced with a conforming sign.
- (f) Saturday services shall operate in the fellowship hall, where seats will be provided. There will be no dance floor on the premises.
- (g) Day care and classes shall only be provided in conjunction with a church service.

Section 3:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT

Exhibit A (1 page)





## Inter Department Correspondence Sheet

TO: ..... City Manager .....

FROM: ..... City Planning Commission .....

COPIES TO: .....

SUBJECT: ..... Application for a Change of Zoning (11 P.H. 25 May 2006) .....

### PART 1: APPLICATION DESCRIPTION:

Nature of Application:

**Change of Zoning:** From C-2 (Corridor Commercial) to conditional IN-1 (Institutional)

Location: 1121 – 1129 E. Little Creek Road

Applicant: Potters House Christian Fellowship Church by Carlos Morales

Property Owner: Mill-Lass Properties

Description of proposed use:

This site was previously used as an automobile repair facility, an automobile rental establishment and a thrift store. The applicant is proposing to operate a religious institution with 358 seats from this location. Day care and classes will be provided during religious services.

The proposed hours of operation are from 6:00 a.m. to 9:00 p.m. on Wednesday and Saturday and from 9:00 a.m. to 8:00 p.m. on Sundays.

Conditions proffered by the applicant:

1. The site shall be used as a religious institution with an occupancy of no more than 370 people.
2. The interior of the building shall be built in accordance with the attached floor plan.
3. The hours of operation shall be from 6:00 a.m. to 9:00 p.m. on Wednesday and Saturday and from 9:00 a.m. to 8:00 p.m. on Sundays.

4. Landscaping will be provided along the E. Little Creek Road and Jernigan Avenue in accordance with Chapter 17, Landscaping and Buffers the City of Norfolk Zoning Ordinance, 1992 as amended.
5. The existing freestanding sign shall be removed and replaced with a conforming sign.
6. Saturday services shall operate from the fellowship hall where seats will be provided. There will be no dance floor.
7. Day care and classes shall only be provided in conjunction with a church service.

Description of existing land use pattern:

The site is located on the portion of E. Little Creek Road as leading to N. Military Highway to the east of Chesapeake Boulevard. E. Little Creek Road in this area is generally zoned C-2 (Corridor Commercial) and is developed with a mix of commercial uses including restaurants, a pharmacy, automobile related establishments, a dry cleaning establishment and beauty salons. To the south is the Oakmont Planned Development which is developed with a multiple-family apartment complex.

**PART 2: ANALYSIS/EVALUATION:**

Prior Zoning History:

The Planning Commission has not recently considered any other relevant applications in the general vicinity of this application.

Neighborhood Impact:

The site is currently zoned C-2 which would allow its use by number of commercial establishments. A church with limited hours and sufficient parking would not negatively impact the residential area abutting the site to the south.

General Plan Impact:

This site proposed for rezoning is too small in size (under 3 acres) to be individually depicted in the General Plan.

### Zoning Impact:

The site is over one acre in size. The Zoning Ordinance permits churches in commercial districts which are less than one acre. The applicant is requesting that the site be rezoned to institutional to allow the operation of the church from this site.

For the site to be used for institutional development, it would have to meet the general standards for institutional districts in Section 10-0 of the Zoning Ordinance of the City of Norfolk, 1992, as amended, and the specific standards for the Institutional District (IN-1) in Section 10-2, including the Site Plan Review procedures.

The change of zoning from a C-2 (Corridor Commercial) district to a conditional IN-1 (Institutional) district requires that parking be provided in accordance with Chapter 15, Schedule of Parking Requirements, contained in the Zoning Ordinance.

### **PART 3: RECOMMENDATION:**

Planning Commission unanimously recommends (by a 7 to 0 vote) that the proposed rezoning be approved subject to the conditions. Operation of a church with limited occupancy and hours of operation should not negatively impact this commercial area:

- 1) The interior of the building shall be constructed in accordance with the attached floor plan. The attached floor plan may, at the request of the Department of Planning, be required to be revised during the permitting process so as to comply with applicable regulations.
- 2) The site shall be used a religious institution with an occupancy of no more than 370 people.
- 3) The hours of operation shall be from 6:00 a.m. until 9:00 p.m. on Wednesday and Saturday, from 9:00 a.m. to 8:00 p.m. on Sundays, and closed on all other days.
- 4) Landscaping will be provided along East Little Creek Road and Jernigan Avenue in accordance with Chapter 17 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Landscaping and Buffers."
- 5) The existing freestanding sign located on the property shall be removed within 90 days of the date of adoption of this ordinance and replaced with a conforming sign.



- 6) Saturday services shall operate in the fellowship hall, where seats will be provided. There will be no dance floor on the premises.
- 7) Day care and classes shall only be provided in conjunction with a church service.

**MAPS:**

1. Location and Zoning
2. Site
3. Site Plan

**Property Description:**

Property extending 200 feet, more or less, along the southern line of E. Little Creek Road beginning 362 feet, more or less, from the eastern line of Chesapeake Boulevard and extending eastwardly; property also fronts 149 feet, more or less, along the northern line of Jernigan Avenue; premises numbered 1121 – 1129 E. Little Creek Road.

**Proponents:**

Barbara Costen  
105 Cove Drive  
Seaford, VA 23696

Jacqueline Cormier  
8000 Wedgewood Drive  
Norfolk, VA 23518

Liza Tirado  
740 Mariners Way, #E  
Norfolk, VA 23503

Eric Pizarro  
3111 Vimy Ridge Avenue  
Norfolk, VA 23509

James Evans  
5113 Cape Henry Avenue  
Norfolk, VA 23513

Robert Costen  
105 Cove Drive  
Seaford, VA 23696

Cho Townsend  
8805 Chesapeake Boulevard  
Norfolk, VA 23503

Tabitha Evans  
5113 Cape Henry Avenue  
Norfolk, VA 23513

Carmen Morales  
9343 Willow Court  
Norfolk, VA 23503

Pastor Carlos Morales  
1121 East Little Creek Road  
Norfolk, VA 23518

John Stepanovich  
440 Viking Drive, Suite 370  
Virginia Beach, VA

Dustin Leyja  
309 West 36<sup>th</sup> Street  
Norfolk, VA 23508

Christopher Lee Smith  
2904 Saint Mihiel Avenue  
Norfolk, VA 23509

James Gwaltney  
3419 Virginia Beach Boulevard, #105  
Virginia Beach, VA 23452

Philip Townsend  
8805 Chesapeake Boulevard  
Norfolk, VA 23503

Kaline Smith  
2904 Saint Mihiel Avenue  
Norfolk, VA 23509

Rosita Leyja  
309 West 36<sup>th</sup> Street  
Norfolk, VA 23508

**Opponents:**

James Janata  
3124 East Ocean View Avenue  
Norfolk, VA 23518

A handwritten signature in cursive script, appearing to read "Stanley Stein".

Stanley Stein  
Acting Executive Secretary

Attachments

**POTTERS HOUSE CHRISTIAN FELLOWSHIP CHURCH**  
1121-1129 East Little Creek Road



Location

2. SITE

PROPOSED REZONING

POTTERS HOUSE CHRISTIAN FELLOWSHIP CHURCH  
1121-1129 East Little Creek Road



Planning Commission Public Hearing

May 25, 2006

Application 11

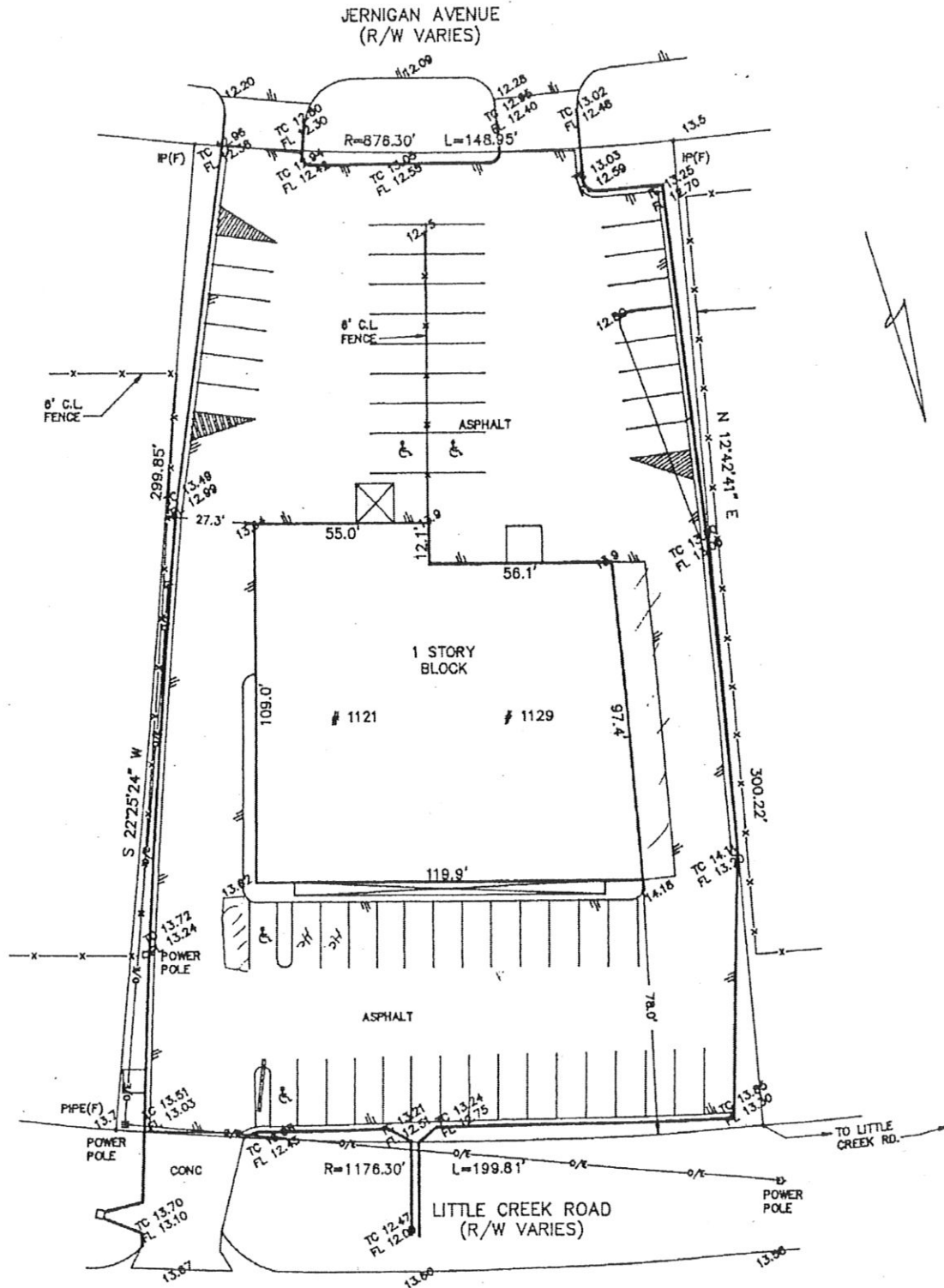
 Location



3. EXISTING SITE PLAN (A)

PROPOSED REZONING

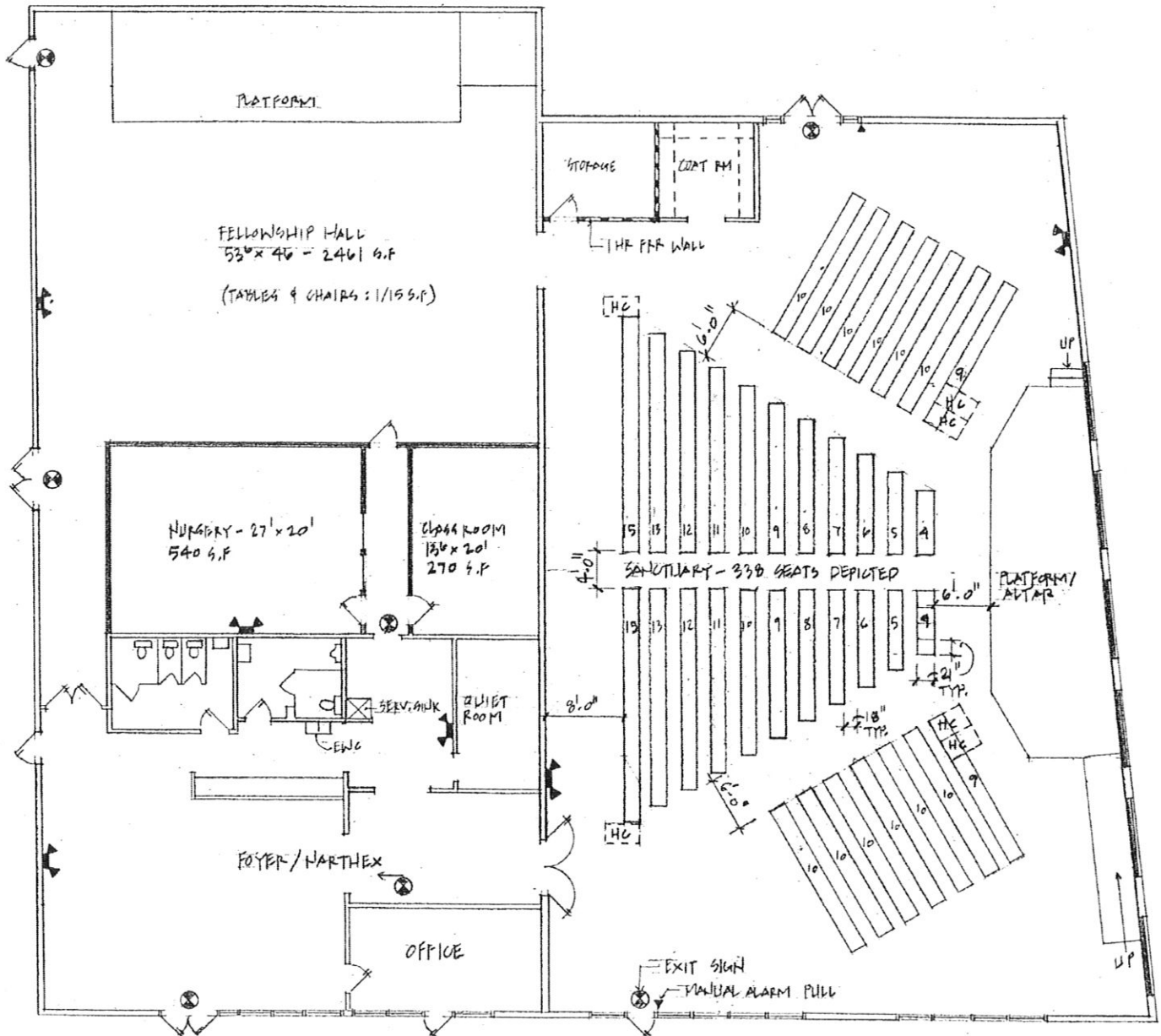
POTTERS HOUSE CHRISTIAN FELLOWSHIP CHURCH  
1121-1129 East Little Creek Road



### 3. PROPOSED SITE PLAN (B)

#### PROPOSED REZONING

#### POTTERS HOUSE CHRISTIAN FELLOWSHIP CHURCH 1121-1129 East Little Creek Road



Planning Commission Public Hearing

May 25, 2006

Application 11